

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

SIXTH DAY'S PROCEEDINGS

**Thirty-ninth Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Friday, February 19, 2016

The House of Representatives was called to order at 4:31 P.M., by the Honorable Taylor Barras, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Gisclair	Lopinto
Abraham	Glover	Lyons
Abramson	Guinn	Mack
Amedee	Hall	Magee
Anders	Harris, J.	Marcelle
Bacala	Harris, L.	McFarland
Bagley	Havard	Miller, D.
Bagneris	Hazel	Miller, G.
Berthelot	Henry	Montoucet
Billiot	Hensgens	Moreno
Bishop	Hilferty	Morris, Jay
Bouie	Hill	Morris, Jim
Broadwater	Hodges	Norton
Brown, C.	Hoffmann	Pearson
Brown, T.	Hollis	Pierre
Carmody	Horton	Pope
Carpenter	Howard	Price
Carter, G.	Hunter	Pugh
Carter, R.	Huval	Reynolds
Carter, S.	Ivey	Richard
Chaney	Jackson	Schexnayder
Cox	James	Schroder
Cromer	Jefferson	Shadoin
Danahay	Jenkins	Simon
Davis	Johnson, M.	Smith
DeVillier	Johnson, R.	Stokes
Edmonds	Jones	Talbot
Emerson	Landry, N.	Thibaut
Falconer	Landry, T.	White
Foil	LeBas	Willmott
Franklin	Leger	Zeringue
Garofalo	Leopold	

Total - 95

The Speaker announced that there were 95 members present and a quorum.

Prayer

Prayer was offered by Rep. Amedee.

Pledge of Allegiance

Rep. Chad Brown led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Hill, the reading of the Journal was dispensed with.

On motion of Rep. Hill, the Journal of February 18, 2016, was adopted.

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 10—
BY REPRESENTATIVE WHITE
A RESOLUTION

To commend Willie B. Peters upon the celebration of his sixty-first birthday.

Read by title.

On motion of Rep. White, and under a suspension of the rules, the resolution was adopted.

Suspension of the Rules

Rep. Leger moved to suspend the rules for the purpose of referring to committee all House Bills, House Concurrent Resolutions, and House Resolutions introduced on this day.

**Introduction of House Bills
and Joint Resolutions**

The following named members introduced the following entitled House Bills and Joint Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

HOUSE BILL NO. 96—
BY REPRESENTATIVE RICHARD
AN ACT

To enact Subpart G of Part II of Chapter 17 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:1591 and 1624(C), relative to professional, personal, and consulting services procurement; to require a reduction in the dollar amount of certain professional, personal, and consulting service contracts; to provide for the submission of periodic reports; to provide for exceptions; to provide for certain conditions of contract approval; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

HOUSE BILL NO. 97—
BY REPRESENTATIVE LYONS
AN ACT

To amend and reenact R.S. 47:297.8(A), relative to individual income tax; to provide with respect to the earned income tax

credit; to increase the amount of the tax credit; to provide for applicability of the tax credit; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 98—
BY REPRESENTATIVE JAY MORRIS
AN ACT

To amend and reenact Sections 1, 2, 3, 7, and 8 of Act No. 125 of the 2015 Regular Session of the Legislature, including the reenactment of R.S. 47:297(A), (B), (C)(1), (D)(2), (F), (M)(1), and (P)(2), 297.6(A)(1) and (5), 297.9(A), 6005(C)(1), 6012(B), 6020(D)(1), 6022(D)(2)(introductory paragraph), 6023(C)(3)(introductory paragraph), 6025(A)(1), 6032(C), and 6036(C)(1)(b) and R.S. 51:2354(A) and 2399.3(A)(2)(a) as well as the amendment and reenactment of R.S. 25:1226.4(C)(1) and (2), R.S. 47:34(B)(1), 35(C), 37(C), 227, 265, 287.664, 287.748(B)(1), 287.749(B), 287.752(B)(1), 287.753(C), 287.755(C), 287.758(B), 287.759(A) and (C)(3), 297(G)(2), (H)(1), (I)(2), (J)(4), (K)(2)(a), (L)(3), and (N), 6004(A)(2), 6005(D)(1), 6008(A), 6009(D)(1), 6013(A), 6017(A), 6018(C), 6020(D)(2)(a), 6022(D)(3), 6023(C)(1), 6026(D)(2) and (3), 6032(F), 6034(C)(1)(a)(ii)(bb) and (iii), (c), and (d), 6035(C)(1) and (D), 6036(C)(1)(a)(introductory paragraph) and (I)(2)(a)(i), and 6037(B)(1) and (2), and R.S. 51:1787(A)(1)(b) and (2)(a) and (b), 1807(C), 2354(B), 2399.3(A)(2)(b), and 3085(B)(1)(a) as well as the enactment of R.S. 47:1675(A)(7), and to repeal Sections 4, 5, and 6 of Act No. 125 of the 2015 Regular Session of the Legislature, relative to income and corporate franchise tax credits; to provide relative to the amounts of tax credits; to provide a cap on such credits; to eliminate the termination of reductions previously enacted; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 99—
BY REPRESENTATIVE STOKES
AN ACT

To amend and reenact R.S. 47:287.95(A), (C)(1), (D), and (F)(2)(a) and (b), relative to corporate income tax; to provide for the calculation of apportionment income for certain businesses; to provide for the weighing of certain ratios in the calculation of Louisiana income; to provide for applicability; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 100—
BY REPRESENTATIVE TALBOT
AN ACT

To amend and reenact R.S. 3:2(C), 277, 4321(B), 4411(A), and 4423(3), R.S. 13:5073(A)(1), R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3), R.S. 22:347(A)(introductory paragraph), 835(B), and 1476(A)(2), R.S. 23:1514(D)(5), R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), and 437(B)(1)(c) and (2) and (C)(2), (3), and (4), R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3), R.S. 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2), R.S. 40:1582(E), 1593, and 2845(A)(6)(b), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:1061(A)(4) and (B) and 9029(B), R.S. 51:1927.1, 2211 (A), 2332(3), and 2341(F), 2361,

2362(A)(introductory paragraph), 2363, 2365, 2365.1(B) through (D), and 2366 and Section 4(B) of Act No. 421 of the 2013 Regular Session of the Legislature and to repeal R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S. 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3, 3138.4, and Part VI of Chapter 42 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:4001, R.S. 22:347(A)(1), (2), and (3), and 831(B), and 835(C), (D), and (F), R.S. 24:39, R.S. 27:92(C), 392(B)(2), (4), and (6), and 439, R.S. 28:842, R.S. 39:97.3, 98.7, Subpart G of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.1, Subpart H of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.11, Subpart I of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.21, Subpart J of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.26, Subpart K of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.31, Subpart M of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.41, Subpart N of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.51, Subpart P-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.81, Subpart Q-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.122, Subpart Q-2 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.123, Subpart R of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.126, Subpart R-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.136, Subpart S of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.146, and R.S. 39:1357, R.S. 40:16.2, 1402, 1547, and 2845(D)(2) and (3) and (E), R.S. 46:2913, R.S. 47:301.1(F), 318, 841(G), 841.1, 841.2, 1520(A)(1)(e), 1602.1, and 6351(G)(3) and (4), R.S. 49:259, R.S. 51:2212(3), 2213, and 2315, and Code of Criminal Procedure Article 926.1(K), Section 7 of Act No. 420 of the 2013 Regular Session of the Legislature, and Section 3 of Act No. 1065 of the 1997 Regular Session of the Legislature, relative to special treasury funds; to provide for the elimination of certain special treasury funds; to eliminate certain dedications into certain special treasury funds; to eliminate certain required expenditures from special treasury funds; to eliminate the Louisiana Agricultural Finance Authority Fund, Forest Protection Fund, Forest Productivity Fund, Louisiana Public Defender Fund, Indigent Parent Representation Program Fund, Innocence Compensation Fund, Academic Improvement Fund, Support Education in Louisiana First Fund, Workforce Training Rapid Response Fund, Higher Education Initiatives Fund, Louisiana Charter School Start-Up Loan Fund, Louisiana State Police Salary Fund, Louisiana Fire Marshal Fund, Municipal Fire and Police Civil Service Fund, Legislative Capitol Technology Enhancement Fund, Riverboat Gaming Enforcement Fund, Pari-Mutuel Live Racing Facility Gaming Control Fund, Equine Health Studies Program Fund, Southern University AgCenter Program Fund, Video Draw Poker Device Purse Supplement Fund, Compulsive and Problem Gaming Fund, Tobacco Settlement Enforcement Fund, Payments Towards the UAL Fund, Sports Facility Assistance Fund, Overcollections Fund, FEMA Reimbursement Fund, State Emergency Response Fund, Louisiana Interoperability Communications Fund, Health Care Redesign Fund, Community Water Enrichment Fund, Louisiana State University Firemen Training Program Film Library Fund, Marketing Fund,

Tobacco Tax Health Care Fund, Department of Justice Legal Support Fund, Rapid Response Fund, Louisiana Mega-Project Development Fund, Major Events Incentive Program Subfund, DNA Testing Post-Conviction Relief for Indigents Fund, 2013 Amnesty Collections Fund, Workforce and Innovation for a Strong Economy Fund, Competitive Core Growth Fund, Science, Technology, Engineering and Math (STEM) Upgrade Fund, Louisiana Asbestos Detection and Abatement Fund, Center of Excellence for Autism Spectrum Disorder Fund, Major Events Fund, Unfunded Accrued Liability and Specialized Educational Institutions Support Fund, MediFund, Department of Health and Hospitals' Facility Support Fund, Louisiana Emergency Response Network Fund, FMAP Stabilization Fund, Fund for Louisianians in Need of Civil Legal Assistance, Fiscal Administrator Revolving Loan Fund, Status of Grandparents Raising Grandchildren Fund, Louisiana Economic Development Fund, Telecommunications for the Deaf Fund, Tobacco Regulation Enforcement Fund, Department of Alcohol and Tobacco Control Officers Fund, Tobacco Tax Medicaid Match Fund, Higher Education Financing Fund, Sickle Cell Fund, and the New Orleans Public Safety Fund; to provide for the deposits into the New Opportunities Waiver Fund; to provide for the uses of the Two Percent Fire Insurance Fund and the Video Draw Poker Device Fund to authorize the transfer of balances between funds; to provide for deposit of monies into the state general fund; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

HOUSE BILL NO. 101—

BY REPRESENTATIVE JACKSON

AN ACT

To amend and reenact R.S. 47:301(3) through (17), and (18)(d)(ii), (h), (i) through (l), and (o), 305(A)(2), (C), (D)(1)(b) through (d) and (g) through (i), (F), (H)(introductory paragraph) and (I), 305.1(A) and (B), 305.6, 305.7, 305.9, 305.13, 305.14(A)(1), 305.16, 305.17, 305.18, 306.19, 305.20(A) and (C)(introductory paragraph) and (G), 305.26, 305.28(A), 305.33, 305.39, 305.40, 305.41(A), 305.42, 305.43, 305.44(A)(introductory paragraph), 305.45(A)(introductory paragraph) and (B), 305.49, 305.50(A)(1) and (2)(a)(introductory paragraph) and (F), 305.51(A), 305.56, 305.57(A), 305.60, 305.61(A), 305.64(A)(1), (B), and (C), 305.65(A) and (C), 305.68, 305.70, 305.71, and 315.2 and to enact R.S. 47:302(V), 321(L), and 331(S), relative to state sales and use taxes; to provide with respect to the applicability of exclusions and exemptions from sales and use taxes; to provide for effectiveness; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 102—

BY REPRESENTATIVE BROADWATER

AN ACT

To amend and reenact R.S. 47:6006(A) and (B), 6006.1(A) and (B), 6014(A), (B), and (C), 6020(D)(2)(a) and (3), 6022(D)(1)(introductory paragraph) and (E)(2), 6025(A), 6032(A) and (D) and to repeal R.S. 47:51, 158, 246, Subparts A through D of Part II-A of Chapter 1 of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:287.2 through 287.95, 287.738, 287.745, and Chapter 5 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:601 through 618, relative to corporate taxes; to repeal the corporate income tax; to repeal the corporation franchise tax; to repeal provisions relative to the computation of taxable income

for purposes of the corporate income tax; to repeal provisions relative to certain deductions, including the federal deduction and net operating loss deduction; to repeal provisions with respect to the calculation of taxable capital for purposes of levying the corporate franchise tax; the to provide with respect to the applicability of certain tax credits, exemptions and deductions against certain state taxes; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 103—

BY REPRESENTATIVE IVEY

AN ACT

To amend and reenact R.S. 47:287.12, relative to corporation income tax; to provide relative to the rate of the corporation income tax; to provide for a flat tax rate; to provide for effectiveness; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 104—

BY REPRESENTATIVE STOKES

AN ACT

To amend and reenact R.S. 47:301.(3), (6) through (8), (10), (13), (14), (16), and (18), 302(A), (B), (C) and 305, and to repeal R.S. 4:168 and 227, R.S. 40:582.1 through 582.7, R.S. 47:301(D), 302(D), 302.1, 303(D)(1) and (E)(1), 304(A), 305(D)(1)(a) through (h) and (j) through (u) and (2) through (6), 305.6, 305.7, 305.8, 305.9, 305.11, 305.13, 305.14, 305.15(A) and (B), 305.16, 305.17, 305.18, 305.19, 305.25, 305.26, 305.33, 305.37, 305.38, 305.40, 305.41, 305.42, 305.43, 305.44, 305.45, 305.47, 305.49, 305.50(E)(1) and (2) and (F), 305.51, 305.52, 305.53, 305.54, 305.57, 305.58, and (G), 305.56, 305.59, 305.60, 305.61, 305.62, 305.63, 305.64, 305.65, 305.66, 305.67, 305.68, 305.69, 305.70, 305.71, 306(A)(2), 306.1, 306.2, 315.1, 315.2, 315.3 and 315.5, relative to state sales and use tax; to provide for the definitions necessary for administration and imposition of the tax; to provide rates of tax; to provide for effectiveness; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

Motion

On motion of Rep. Lyons, the Committee on Ways and Means was discharged from further consideration of House Bill No. 97.

HOUSE BILL NO. 97—

BY REPRESENTATIVE LYONS

AN ACT

To amend and reenact R.S. 47:297.8(A), relative to individual income tax; to provide with respect to the earned income tax credit; to increase the amount of the tax credit; to provide for applicability of the tax credit; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Lyons, the bill was withdrawn from the files of the House.

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 1—

BY SENATORS MARTINY, ALARIO, ALLAIN, APPEL, BARROW, BISHOP, BOUDREAU, BROWN, CARTER, CHABERT, CLAITOR, DONAHUE, ERDEY, GATTI, HEWITT, JOHNS, LAFLEUR, LAMBERT, LONG, LUNEAU, MILKOVICH, MIZELL, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, WALSWORTH AND WARD
AN ACT

To amend and reenact R.S. 51:2365.1(A)(5) and (7)(a), relative to the definition of a qualified event or qualified major event for purposes of the Major Events Incentive Program; to include a college tournament or championship in the definition of a qualified event or qualified major event; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

SENATE BILL NO. 4—

BY SENATORS LAFLEUR AND ALARIO
AN ACT

To amend and reenact R.S. 39:91(A), the introductory paragraph of (B), and (D), and to enact R.S. 39:91(E), relative to the deposit of certain funds into the state general fund; to provide for the deposit of certain economic damages payments received by the state pursuant to the settlement of the Deepwater Horizon litigation; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

Suspension of the Rules

On motion of Rep. Jim Morris, Vice Chairman, the rules were suspended to permit the Committee on Ways and Means to meet on Sunday, February 21, 2016, and Monday, February 22, 2016, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 35, 36, 37, 46, 47, 50, 53, 55, 57, 58, 59, 60, 61, 72, 73, 74, 75, 76, 78, 79, 80, 81, 82, 83, 84, 85, 87, 88, 90, 91, 92, 93, 94, and 95

House Concurrent Resolution No. 3

Suspension of the Rules

On motion of Rep. Henry, the rules were suspended to permit the Committee on Appropriations to meet on Monday, February 22, 2016, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 42, 44, 45, 63, 96, and 100

House Concurrent Resolution No. 2

Senate Bill No. 1

Leave of Absence

Rep. Pylant - 1 day

Rep. Adams - ½ day

Adjournment

On motion of Rep. Billiot, at 4:58 P.M., the House agreed to adjourn until Monday, February 22, 2016, at 5:00 P.M.

The Speaker of the House declared the House adjourned until 5:00 P.M., Monday, February 22, 2016.

ALFRED W. SPEER
Clerk of the House